

Timeline of Legal History of Women in the United States

- 1769** American colonies based their laws on the English common law, which was summarized in the Blackstone Commentaries. It said, "By marriage, the husband and wife are one person in the law...the very being and legal existence of the woman is suspended during the marriage, or at least is incorporated into that of her husband under whose wing [and] protection she performs everything."
- 1777-** All states pass laws which take away women's right to vote.
- 1807**
- 1789** United States Constitution ratified. The terms "persons," "people" and "electors" are used, allowing the interpretation of those beings to include men and women.
- 1839** The first state (Mississippi) grants women the right to hold property in their own name, with their husbands' permission.
- 1848** At Seneca Falls, New York, 300 women and men sign the Declaration of Sentiments, a plea for the end of discrimination against women in all spheres of society.
- 1855** In *Missouri v. Celia*, a Black woman slave is declared "property".
- 1866** The 14th Amendment is passed by Congress (ratified by the states in 1868), saying "Representatives shall be apportioned among the several States according to their respective members, counting the whole number of persons in each State, excluding Indians not taxed. . . .But when the right to vote . . .is denied to any of the male inhabitants of such State . . . the basis of representation therein shall be reduced in proportion." It is the first time "citizens" and "voters" are defined as "male" in the Constitution.
- 1869** The first woman suffrage law in the U.S. is passed in the territory of Wyoming.
- 1870** The 15th Amendment receives final ratification, stating, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous

condition of servitude.” By its text, women are not specifically excluded from the vote.

- 1870** The first grand jury with women jurors hears cases in Cheyenne, Wyoming. The Chief Justice stops a motion to prohibit the integration of the jury, stating: “It seems to be eminently proper for women to sit upon Grand Juries, which will give them the best possible opportunities to aid in suppressing the dens of infamy which curse the country.”
- 1873** *Bradwell v. Illinois*, 83 U.S. 130 (1872): The U.S. Supreme Court rules that a state has the right to exclude a married woman (Myra Colby Bradwell) from practicing law.
- 1875** *Minor v. Happersett*, 88 U.S. 162 (1875): The U.S. Supreme Court declares that despite the privileges and immunities clause, a state can prohibit a woman from voting. The court declares women as “persons,” but holds that they constitute “special category of [nonvoting] citizens.”
- 1879** Through special Congressional legislation, Belva Lockwood becomes first woman to try a case before the Supreme Court.
- 1890** The first state (Wyoming) grants women the right to vote in all elections.
- 1898** The first law school established by and for women is founded in Washington, D.C. (Washington College of Law, now the law school at American University).
- 1899** The Women’s National Bar Association is founded.
- 1908** *Muller v. State of Oregon*, 208 U.S. 412 (1908): The U.S. Supreme Court upholds Oregon’s 10-hour workday for women.
- 1920** The Nineteenth Amendment to the U.S. Constitution is ratified. It declares: “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.”
- 1932** The National Recovery Act forbids more than one family member from holding a government job, resulting in many women losing their jobs.
- 1937** The U.S. Supreme Court upholds Washington State’s minimum wage laws for women.

- 1938** The Fair Labor Standards Act establishes minimum wage without regard to sex.
- 1947** *Fay v. New York*, 332 U.S. 261 (1947), the U.S. Supreme Court says women are equally qualified with men to serve on juries but are granted an exemption and may or may not serve as women choose.
- 1961** In *Hoyt v. Florida*, 368 U.S. 57 (1961): The U.S. Supreme Court upholds rules adopted by the state of Florida that made it far less likely for women than men to be called for jury service on the grounds that a “woman is still regarded as the center of home and family life.”
- 1963** The Equal Pay Act is passed by Congress, promising equitable wages for the same work, regardless of the race, color, religion, national origin or sex of the worker.
- 1964** Title VII of the Civil Rights Act passes including a prohibition against employment discrimination on the basis of race, color, religion, national origin, or sex.
- 1965** *Weeks v. Southern Bell*, 408 F. 2d. 228 (5th Cir. 1969), marks a major triumph in the fight against restrictive labor laws and company regulations on the hours and conditions of women's work, opening many previously male-only jobs to women.
- 1968** Executive Order 11246 prohibits sex discrimination by government contractors and requires affirmative action plans for hiring women.
- 1969** In *Bowe v. Colgate-Palmolive Company*, 416 F. 2d 711 (7th Cir.1969), the Seventh Circuit Court of Appeals rules that women meeting the physical requirements can work in many jobs that had been for men only.
- 1969-** California adopts the nation’s first “no fault” divorce law, allowing divorce by mutual consent.
- 1971** *Phillips v. Martin Marietta Corporation*, 400 U.S. 542 (1971): The U.S. Supreme Court outlaws the practice of private employers refusing to hire women with pre-school children.

- 1971-** *Reed v. Reed*, 404 U.S. 71 (1971): The U.S. Supreme Court holds unconstitutional a state law (Idaho) establishing automatic preference for males as administrators of wills. This is the first time the court strikes down a law treating men and women differently. The Court finally declares women as “persons,” but uses a “reasonableness” test rather than making sex a “suspect classification,” analogous to race, under the Fourteenth Amendment.
- 1972** Title IX (Public Law 92-318) of the Education Amendments prohibits sex discrimination in all aspects of education programs that receive federal support.
- 1973** *Pittsburgh Press v. Pittsburgh Commission on Human Relations*, 413 U.S. 376 (1973): The U.S. Supreme Court bans sex-segregated “help wanted” advertising as a violation of Title VII of the Civil Rights Act of 1964 as amended.
- 1973-** *Roe v. Wade*, 410 U.S. 113 (1973) and *Doe v. Bolton*, 410 U.S. 179 (1973): The U.S. Supreme Court declares that the Constitution allows the termination of an early pregnancy.
- 1974** Housing discrimination on the basis of sex and credit discrimination against women are outlawed by Congress.
- 1974-** *Cleveland Board of Education v. LaFleur*, 414 U.S. 632 (1974), determines it is illegal to force pregnant women to take maternity leave on the assumption they are incapable of working because of their physical condition.
- 1974-** The Equal Employment Opportunity Commission, the Justice and Labor Departments, and AT&T sign a consent decree banning AT&T’s discriminatory practices against women and minorities.

- 1975** *Taylor v. Louisiana*, 419 U.S. 522 (1975), denies states the right to exclude women from juries.
- 1976** *General Elec. Co v. Gilbert*, 429 U. S. 125 (1976), the Supreme Court upholds women's right to unemployment benefits during the last three months of pregnancy.
- 1976-** *Craig v. Boren*, 429 U.S. 190 (1976): The U.S. Supreme Court declares unconstitutional a state law permitting 18 to 20-year-old females to drink beer while denying the rights to men of the same age. The Court establishes new set of standards for reviewing laws that treat men and women differently—an “intermediate” test stricter than the “reasonableness” test for constitutionality in sex discrimination cases.
- 1978** The Pregnancy Discrimination Act bans employment discrimination against pregnant women.
- 1981** *Kirchberg v. Feenstra*, 450 U.S. 455, 459-60 (1981), overturns state laws designating a husband “head and master” with unilateral control of property owned jointly with his wife.
- 1984** In *Roberts v. U.S. Jaycees*, 468 U.S. 609 (1984), sex discrimination in membership policies of organizations, such as the Jaycees, is forbidden by the Supreme Court, opening many previously all-male organizations (Jaycees, Kiwanis, Rotary, Lions) to women.
- 1984- The state of Mississippi ratifies the 19th Amendment, granting women the vote.
- 1984-** *Hishon v. King and Spaulding*, 467 U.S. 69 (1984): The U.S. Supreme Court rules that law firms may not discriminate on the basis of sex in promoting lawyers to partnership positions.
- 1986** In *Meritor Savings Bank v. Vinson*, 477 U.S. 57 (1986), the U.S. Supreme Court held that a hostile or abusive work environment may constitute discrimination based on sex.

- 1987** *Johnson v. Santa Clara County*, 480 U.S. 616 (1987): The U.S. Supreme Court rules that it is permissible to take sex and race into account in employment decisions even where there is no proven history of discrimination but when evidence of a manifest imbalance exists in the number of women or minorities holding the position in question.
- 1993** *Harris v. Forklift Systems, Inc.*, 510 U.S. 17 (1993) The U.S. Supreme Court rules that the victim need not show that she suffered physical or serious psychological injury as a result of sexual harassment.
- 1996** *United States v. Virginia*, 518 U.S. 515 (1996), affirms that the male-only admissions policy of the state-supported Virginia Military Institute violates the Fourteenth Amendment.
- 1998** *Burlington Industries, Inc. v. Ellerth*, 524 U.S. 742 (1998) and *Faragher v. City of Boca Raton*, 524 U.S. 742 (1998): The Supreme Court balances employee and employer rights. The court rules that employers are liable for sexual harassment even in instances when a supervisor's threats are not carried out. But the employer can defend itself by showing that it took steps to prevent or promptly correct any sexually harassing behavior and the employee did not take advantage of available opportunities to stop the behavior or complain of the behavior.
- 2000** *United States v. Morrison*, 529 U.S. 598 (2000). The U.S. Supreme Court invalidates those portions of the Violence Against Women Act allowing victims to sue their attackers in federal court.